

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SAP AG and SAP AMERICA, INC.,

Plaintiff,

v.

DATATERN, INC.,

Defendant.

Case No. 1:11-cv-02648 KBF

(ECF CASE)

**NOTICE OF SAP AG AND SAP AMERICA, INC.'S MOTION TO ENJOIN
DATATERN'S ASSERTION OF INFRINGEMENT OF U.S. PATENT NOS. 5,937,402
AND 6,101,502 BASED ON THE USE OF SAP'S BUSINESSOBJECTS PRODUCTS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of SAP AG and SAP America, Inc.'s ("SAP") Motion to Enjoin DataTern's Assertion of Infringement of U.S. Patent Nos. 5,937,402 and 6,101,502 Based on the Use of SAP's BusinessObjects Products and supporting declarations and exhibits thereto, SAP will move this Court before the Honorable Katherine B. Forrest, at the United States Courthouse, located at 500 Pearl Street, New York, New York, 10008, on a date to be determined by the Court, for an order granting an injunction prohibiting DataTern, Inc., until the Federal Circuit's final disposition of an appeal of the anticipated judgment in this case, from asserting infringement of the Patents-in-Suit based on the use of SAP's BusinessObjects products, including, without limitation, DataTern's pursuit of its infringement claims based on use of SAP's BusinessObjects products in the Customer Suits; and DataTern's commencing or threatening, expressly or by implication, any patent infringement action on the Patents-in-Suit against SAP's BusinessObjects customers and/or users based on their use of SAP's BusinessObjects products; and for such other relief as this Court may deem just and proper.

Dated: December 3, 2012

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Respectfully submitted,

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